

STATEMENT OF PURPOSE

RS18492

This bill would amend Idaho Code § 19-2522, which requires an examination of the mental condition of the defendant in a criminal case if there is reason to believe that the mental condition of the defendant will be a significant factor at sentencing and for good cause shown. The statute currently requires the court to appoint a psychiatrist or licensed psychologist to make the examination. This bill would allow the court to appoint other qualified professionals, such as licensed counselors, to make the examination where the court believes that to be sufficient. The bill would also clarify that a report of an examination of the defendant's mental examination that has previously been conducted pursuant to Idaho Code § 19-2524 may be used to satisfy the requirements of Idaho Code § 19-2522 if the court finds that the earlier examination and report are sufficient. The defendant will retain the ability to be examined by an expert of his or her own choice.

FISCAL NOTE

This bill would have no impact on the general fund. There may be some savings to counties resulting from the ability to avoid multiple mental examinations of defendants in some cases and the availability of a wider range of professionals to conduct the examinations.

Contact:

Name: Patricia Tobias, Administrator

Office: The Courts

Phone: (208) 334-2246